

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ADAM HELFAND, CARON HELFAND )  
and MITCHELL HELFAND, )  
- vs - ) No. 04-11800-DPW  
THE JOHN DEWEY ACADEMY, INC., )  
THOMAS BRATTER, CAROLE )  
BRATTER, KEN STEINER AND )  
GWENDOLYN HAMPTON, )

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DEPOSITION OF HOLLY ANDERSON

January 16, 2006

Reported by: LYNN PENFIELD, CSR No. 8589, RPR



CERTIFIED COPY

1 in November?

2 A. I don't know the date.

3 Q. Well, do you know that they were --

4 A. Deposed?

5 Q. -- in Boston for depositions?

6 A. Yes.

7 Q. Have you spoken to them about their  
8 depositions?

9 A. No.

10 Q. Not at all?

11 A. No.

12 Q. Well, besides asking you what was the date of  
13 the visit when he told you about his relationship and  
14 the pregnancy and so forth, did he say anything else to  
15 you about his deposition?

16 A. Not that I can recall, no.

17 Q. And you were able to tell him it was July of  
18 '02.

19 How did you remember when he had made that  
20 visit?

21 A. I remembered the date.

22 Q. How did you remember?

23 A. It was just clear in my mind.

24 Q. The month or the exact date?

25 A. The month. The month.

1 Q. Did you know when in July of '02?

2 A. Not specifically, no.

3 Q. Now, that was after his first year of college,  
4 right?

5 A. Yes.

6 Q. What brought him out to California that summer?

7 Do you know?

8 A. I don't know specifically. I know he came just  
9 to visit me.

10 Q. For how long?

11 A. I don't recall how many days specifically. It  
12 was probably close to a week. I don't remember how many  
13 days.

14 Q. Now, were you aware back when Adam was living  
15 at home before going to John Dewey of whether he  
16 destroyed other people's property or damaged people's  
17 property?

18 A. Not that I recall at this time.

19 Q. Well, there are really two questions: Were you  
20 aware then, and have you learned anything about that up  
21 to the present time?

22 And let me ask that second question.

23 As you sit here today, do you know to what  
24 extent Adam destroyed or damaged people's property  
25 intentionally when he was living at home?

1 A. No. I don't.

2 Q. Well, did you go to check?

3 A. No.

4 Q. How do you know you don't?

5 A. Because I know I always clean out my e-mail. I  
6 don't save e-mail.

7 Q. How often?

8 A. Daily.

9 Q. So you don't have either saved e-mails or a  
10 record of any e-mails from him to you; is that true?

11 A. I don't have any, no.

12 Q. And what about sent e-mails? Do you save  
13 those?

14 A. No.

15 Q. Now, you told Adam when he came back from his  
16 deposition that he came out here and saw you in July  
17 after his first year of college, right?

18 A. Correct.

19 Q. And, as you sit here today, do you remember  
20 that visit?

21 A. Yes.

22 Q. I'd like you to tell me everything you can  
23 recall about the visit that Adam paid to you in July of  
24 2002.

25 MR. HARDOON: Objection.

1 MR. STEINFELD: Excuse me?

2 MR. HARDOON: Objection.

3 BY MR. STEINFELD:

4 Q. Well, let me ask you a question a little  
5 differently.

6 Did you have a conversation with Adam at that  
7 time?

8 A. Yes.

9 Q. Was that a conversation in which he disclosed  
10 to you that he had had a sexual relationship with Gwen  
11 Hampton?

12 A. Yes.

13 Q. And, as you sit here today, you recall the  
14 conversation, correct?

15 A. Yes.

16 Q. I would like you to tell me in as much detail  
17 as you can what Adam said to you and what you said to  
18 him.

19 A. I don't recall specific words.

20 Q. Well, give me your best memory.

21 A. But I recall a conversation where Adam told me  
22 that he had a child and that he had been having a sexual  
23 relationship with Gwen, and that Gwen had been giving  
24 him alcohol and prescription drugs; and that the baby  
25 had been born a few weeks earlier, he had been part of

1 the adoption process, and that he had basically had to  
2 spend his entire first year of college driving to  
3 doctors' appointments for Gwen and to meetings with the  
4 adoption agency, and that she had been controlling him  
5 his entire first year of college.

6 I asked him how the sexual relationship started  
7 and when it started, and he said it started after he had  
8 turned 18, and that she had him to her house or  
9 apartment and had given him wine and prescription drugs  
10 and started a sexual relationship with him while he was  
11 a student at John Dewey Academy.

12 I'm trying to think.

13 He felt very trapped. He told me he was  
14 trapped and that he wanted somebody to know what had  
15 happened to him. He told me he held the baby after the  
16 baby was born and that they named the baby together, he  
17 and Gwen, and that he had met the adoptive parents and  
18 he felt really good about the adoptive parents.

19 We talked about the fact that he was unable to  
20 make friends or develop any relationships at college,  
21 that Gwen insisted he be in his room at 10:30 every  
22 night and call her; that she would drive to  
23 Manhattanville to spend the night with her children in  
24 his dorm room, that she provided him with alcohol and  
25 prescription drugs regularly while he was at John Dewey

1 MR. STEINFELD: Okay. Off the record.

2 (Recess from 11:33 a.m. to 11:46 a.m.)

3 BY MR. STEINFELD:

4 Q. During the three-hour conversation in July of  
5 2002, was there any discussion between you and Adam of  
6 bringing a lawsuit?

7 A. No.

8 Q. During your conversation with Gwen Hampton at  
9 4:00 a.m. in the East, was there any discussion of a  
10 lawsuit?

11 A. No.

12 Q. Have you spoken with Gwen Hampton at any time  
13 other than that conversation?

14 A. No.

15 Q. Either before or after?

16 A. Correct.

17 Q. Have you given me everything you can remember  
18 about that conversation?

19 A. I think that I didn't mention earlier -- I'm  
20 not sure -- that Adam specifically had asked me not to  
21 tell his parents any of what we discussed, and that was  
22 before he told me anything. He said, I want to make  
23 sure you won't tell my parents anything I'm about to  
24 tell you.

25 Q. And what did you say?

1 A. I told him that I would not tell his parents.

2 Q. And do you recall anything else of the  
3 conversation?

4 A. I just recall at the end of the conversation  
5 telling him how important it was that he enjoy his  
6 college years, that I thought he should tell his  
7 parents, and that he needed to tell his parents, and  
8 that I wanted him to go back to Great Barrington and end  
9 his relationship with Gwen.

10 Q. What did he say?

11 A. He said that he didn't know that he could do it  
12 while he was still in Great Barrington, but he would  
13 try.

14 Q. Well, when you say he was still in  
15 Great Barrington, he was attending college at the time,  
16 right?

17 A. But that summer when he came to see me in July,  
18 he was taking a summer school course in Great  
19 Barrington --

20 Q. Okay.

21 A. -- and working at the school, at John Dewey.

22 Q. As you think back on the conversation, you  
23 clearly recall telling Adam that he should tell his  
24 parents?

25 A. Yes.

1 contact with each other?

2 Q. Yes.

3 A. I knew they were still in contact with each  
4 other.

5 Q. And you had promised Adam that you would keep  
6 that confidence, his disclosure to you.

7 Did you change your mind at some point?

8 A. Yes.

9 Q. Did you tell Adam that you were changing your  
10 mind?

11 A. No.

12 Q. What caused you to change -- excuse me.

13 Before I get to that, you disclosed all of this  
14 to your husband, did you?

15 A. Right.

16 Q. Right -- the next day?

17 A. Yes.

18 Q. And did you also tell Austin?

19 A. No.

20 Q. Did you tell anybody --

21 A. No.

22 Q. -- other than your husband?

23 What caused you to change your mind and tell  
24 your brother and sister-in-law?

25 A. Well, I think in my own mind I had given Adam a

1 time limit as to how long I was going to give him to  
2 tell his parents. I wanted him to tell his parents, and  
3 at some point Mitch and Caron had mentioned to me that  
4 they were going to fly Gwen and her children in for some  
5 upcoming school break for a vacation to Chicago, and I  
6 knew I needed to tell them before they did something  
7 like that.

8 Q. Well, in fact, Gwen and her children had  
9 visited with your brother and sister-in-law.

10 A. You knew that, did you?

11 A. Previously you mean?

12 Q. Yes.

13 A. Yes.

14 Q. And did you know when they had visited?

15 A. I don't recall. Sometime while Adam was a  
16 student at John Dewey Academy.

17 Q. And what about after graduation?

18 A. I don't recall when that visit was.

19 Q. You understood that they were having -- going  
20 to have her back to Chicago to --

21 A. Correct.

22 Q. -- visit again?

23 A. Yes.

24 Q. And did you understand when that was going to  
25 happen?

1 A. It was some type of break they had at John  
2 Dewey Academy. I don't recall what the specific break  
3 was.

4 Q. Well, when did you make this disclosure to your  
5 brother and --

6 A. In January of '03.

7 Q. January of '03?

8 A. Uh-huh.

9 Q. In person or by phone?

10 A. By phone.

11 Q. Who did you talk to?

12 A. Both of them.

13 Q. Was anyone else on the call?

14 A. No.

15 Q. How long did the call take?

16 A. I don't recall.

17 Q. Give me your best estimate.

18 A. I don't recall. It could have been any --

19 Q. More than an hour, or less than an hour?

20 A. I don't recall. It was probably around an  
21 hour, maybe more. I don't remember the amount of time.

22 Q. Do you remember what time of day?

23 A. It was evening.

24 Q. Was there a reason why you didn't inform Adam  
25 that you were going to tell his parents?

1           A. No. I don't think I -- I just knew I needed to  
2 tell them.

3           Q. Can you describe the conversation as you did  
4 the previous one, giving me as much detail as you can  
5 remember of what you said and of what they said?

6           A. I just remember calling, and I think my brother  
7 answered and I asked him if he could get Caron on the  
8 phone, and he did.

9           And I just said, I have to tell you guys  
10 something and it's going to be hard to hear, but I want  
11 you to just listen and hear me out, and it's going to be  
12 shocking.

13           And I said that when Adam came to visit me in  
14 July, he told me that he and Gwen were having a sexual  
15 relationship, that they had been having a sexual  
16 relationship, and that she had a baby by Adam. And I'm  
17 sure that I went into the details of my conversation  
18 with Adam about -- I mean I don't have a great  
19 recollection of how much I told them that night, but  
20 that I felt that Adam was going to need their help, that  
21 he was trapped, that he was in a very bad situation. I  
22 told them that this child had been put up for adoption.

23           I told them that, in my opinion, Gwen was  
24 controlling Adam, controlling them, and that Adam had  
25 basically been brainwashed by her and that Adam -- and

1 that Gwen was manipulating them as well.

2 I told them that I had not told Adam that I was  
3 telling them everything that he had told me and that he  
4 had specifically asked me not to tell them, and I asked  
5 them to take some time to internalize everything I was  
6 telling them before they reacted to Adam because he was  
7 in a very vulnerable situation, and I wanted them to  
8 think about how they were going to talk with him about  
9 it before they acted.

10 I told them I thought it was going to take a  
11 few days for them to really internalize everything I was  
12 telling them because it had taken me that long to  
13 internalize everything that Adam had told me, and I told  
14 them that the sexual relationship had started after Adam  
15 turned 18 while he was still a student at John Dewey,  
16 and that, as far as I knew, it was continuing on to that  
17 day.

18 Q. You told them it was still going on at the time  
19 of the conversation?

20 A. I told them I thought it was, I didn't know  
21 that, and that I knew that she had required Adam to make  
22 these long drives to doctors' appointments, to the  
23 adoption agency; that she required Adam to be in his  
24 room at 10:30 every night and on the phone with her;  
25 that she had come to Manhattanville with her children

1 and had stayed in his dorm room; that she had given Adam  
2 alcohol and prescription drugs while he was a student at  
3 John Dewey, and continued to drink and do drugs with  
4 Adam; and that I knew it was going to be hard for them  
5 to hear all this because they trusted Gwen and they  
6 didn't know about any of this and that it was going to  
7 be devastating.

8 That's pretty much it. I told them everything  
9 I knew from Adam.

10 Q. What did Mitchell say and what did Caron say?

11 A. Oh, my God.

12 I mean that was pretty much it.

13 Wow.

14 Just that they were sad and upset and, What are  
15 we going to do, and, How did this happen, and how could  
16 they have trusted somebody so much and not have known  
17 that -- you know, they were feeling a lot of pain, a lot  
18 of guilt, a lot of -- you know, How can we help him now?  
19 What can we do to help him now?

20 Q. Do you remember anything else --

21 A. Shock.

22 Q. -- that either of them said?

23 A. That's all I really remember from that  
24 conversation.

25 Q. Do you hold Adam accountable for any of his

1           Q.    But you do hold him accountable for his drug  
2 use when he was living at home?

3           A.    I hold him accountable for knowing that it was  
4 wrong.

5           Q.    Well, do you believe that he currently uses  
6 drugs voluntarily or involuntarily?

7           A.    I don't know how to answer that.

8           Q.    When you had your conversation in January, was  
9 there any discussion of a lawsuit, or bringing a  
10 lawsuit?

11          A.    In my conversation with Mitch and Caron, no.

12          Q.    Have you told me everything you can remember of  
13 that conversation?

14          A.    I believe so, at this time. That's all I can  
15 recall at this time.

16          Q.    Now, after you had your conversation with  
17 Holly -- excuse me -- with Mitchell and Caron, did you  
18 inform Adam that you had told his parents?

19          A.    Not right away, no.

20          Q.    Well, did you ever inform him of the  
21 conversation up to the time that his parents came out  
22 here in March of 2003?

23          A.    That's when I informed him.

24          Q.    And we'll get to that.

25           So you kept this secret of Adam's for about six

1 months; am I right?

2 A. From July to January, yes.

3 Q. Did you tell your brother or your sister-in-law  
4 why you waited so long to tell them?

5 A. I told them that I waited because I wanted Adam  
6 to tell them.

7 Q. During the period between July and January,  
8 that six-month period, did you ever ask Adam whether he  
9 had told his parents?

10 A. I never asked him. I knew that he had not. I  
11 kept encouraging him to tell his parents.

12 Q. And the reason you knew he had not told them is  
13 that if he had, they would have told you?

14 A. He would have told me.

15 Q. Or he would have told you?

16 So you encouraged him repeatedly over a period  
17 of six months, Tell your folks?

18 A. I talked with him very infrequently over those  
19 six months, not very often. The times that I did speak  
20 with him, I told him I thought he should tell his  
21 parents.

22 Q. And you told him that in your -- at your dining  
23 room table that first night, yes?

24 A. Yes, to the best of my recollection, I believe  
25 I told him to.